

1 Alexander G. Calfo, Bar No. 152891
alexander.calfo@btlaw.com
2 Kelley S. Olah, Bar No. 245180
kelly.olah@btlaw.com
3 **BARNES & THORNBURG LLP**
4 2049 Century Park East, Suite 3550
5 Los Angeles, California 90067
Telephone: (310) 284-3880
Facsimile: (310) 284-3894

6 Attorneys for Defendants
DEPUY ORTHOPAEDICS, INC.; JOHNSON &
7 JOHNSON SERVICES, INC. and JOHNSON &
JOHNSON (erroneously sued as "Johnson &
8 Johnson, Inc.")

9

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

12
13 PAMELA J. VIETH,

14 Plaintiff,

15 v.

16 DEPUY ORTHOPAEDICS, INC.;
17 JOHNSON & JOHNSON SERVICES,
INC.; JOHNSON & JOHNSON, INC.;
18 THOMAS P. SCHMALZRIED, M.D.;
THOMAS P. SCHMALZRIED, M.D. A
PROFESSIONAL CORPORATION and
19 DOES 1-100,

20 Defendants.

21 CASE NO. CV13-02239- SBA

22 **[PROPOSED] ORDER RE: STIPULATION TO
STAY ALL PROCEEDINGS**

23 **JURY TRIAL DEMANDED**

24 Trial Date: None Set

25 TO ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

26 Upon consideration of the Stipulation to Stay Proceedings submitted by Plaintiff
PAMELA J. VIETH and Defendants DEPUY ORTHOPAEDICS, INC., JOHNSON &
JOHNSON SERVICES, INC., JOHNSON & JOHNSON, THOMAS P. SCHMALZRIED, M.D.
and THOMAS P. SCHMALZRIED, M.D. A Professional Corporation (hereafter collectively "the
27 Parties"); upon consideration of all documents, files, and pleadings in this action; and upon good
28

1 cause shown, it is hereby ORDERED that:

- 2 1. The Parties' request for a stay of proceedings is GRANTED;
- 3 2. All proceedings in this action are hereby stayed, pending a decision by the Judicial
- 4 Panel on Multidistrict Litigation on whether this case should be transferred to In re DePuy
- 5 Orthopaedics, Inc. Pinnacle Hip Implant Products Liability Litigation, MDL Docket No. 2244.
- 6 3. Deadlines relating to any outstanding responsive pleading are extended pending
- 7 entry of a Scheduling Order in the MDL court addressing responsive pleadings and the deadline
- 8 to file any remand motion is extended pursuant to the MDL court's August 14, 2012 "Order
- 9 Regarding Cases Removed from State Court," and any subsequent orders that the MDL Court
- 10 may issue.

11

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13

14

Dated: 6/6/, 2013



UNITED STATES DISTRICT JUDGE

15

16

17

18

19

20

21

22

23

24

25

26

27

28